

RESOLUTION NO. 2005-231

A RESOLUTION OF THE CITY COUNCIL OF THE CITY  
OF LODI AMENDING THE SAN JOAQUIN COUNTY  
MULTI-SPECIES HABITAT CONSERVATION AND  
OPEN SPACE PLAN DEVELOPMENT FEE

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WHEREAS, the City Council of the City of Lodi adopted Ordinance No. 1707 and Resolution No. 2001-298 establishing the authority for collection of a development fee for the San Joaquin County Multi-Species Habitat Conservation and Open Space Plan (SJMSCP) for all new developments pursuant to the SJMSCP within the City of Lodi; and

WHEREAS, a "Fee Study" dated July 16, 2001, was prepared, which analyzed and identified the costs, funding, and cost-benefit of the SJMSCP; and

WHEREAS, the purpose of the SJMSCP development fee is to finance the goals and objectives of the SJMSCP that include, but are not limited to, preserve land acquisition, preserve enhancement, land management, and administration that compensate for such lands lost as a result of future development in the City of Lodi and in San Joaquin County; and

WHEREAS, after considering the Fee Study and the testimony received at the public hearing, the Lodi City Council approved said report; and further found that the future development in the City of Lodi will need to compensate cumulative impacts to threatened, endangered, rare, and unlisted SJMSCP Covered Species and other wildlife and compensation for some non-wildlife related impacts to recreation, agriculture, scenic values, and other beneficial open space uses; and

WHEREAS, the SJMSCP development fee adopted in 2001 for natural land and agricultural habitat lands was \$1,500 an acre; and

WHEREAS, the current SJMSCP development fee for natural lands and agricultural lands is \$1,819 an acre for the year 2005 due to annual adjustments consistent with the California Construction Cost Index (CCCI); and

WHEREAS, the Fee Study identified the fee an acre for natural lands and agricultural habitat lands for the year 2005 as \$3,145; and

WHEREAS, the current fee of \$1,819 an acre is inadequate to finance the goals and objectives of the SJMSCP due to the increasing cost of land in San Joaquin County; and

WHEREAS, the SJMSCP development fees are divided into three categories: vernal pool habitat, natural land and agricultural habitat land, and multi-purpose open space conversion; and

WHEREAS, the SJMSCP development fees for vernal pool habitat and multi-purpose open space conversion will likewise be increased consistent with the Fee Study findings for the year 2005. A table illustrating the development fee increases for the three categories of land is attached hereto as Exhibit "A"; and

WHEREAS, to ensure that the SJMSCP development fees keep pace with inflation, annual adjustments, consistent with the CCCI, shall be made to the fees annually; and

WHEREAS, the Fee Study with the SJMSCP and the fee amendment were available for public inspection and review in the office of the City Clerk for more than 10 days prior to the date of this public hearing.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF LODI AS FOLLOWS:

1. The City Council finds and declares that the purposes and uses of the development fee and the determination of the reasonable relationship between the fees uses and the type of development project on which the fees are imposed are all established in Resolution No. 2001-298 and remain valid, and the City Council therefore adopts such determinations.
2. The City Council finds and declares that, since adoption of Resolution No. 2001-298, the cost of land has increased in San Joaquin County and that in order to maintain the reasonable relationship established by Resolution No. 2001-298, it is necessary to increase the development fee for the SJMSCP.
3. The development fee for natural lands and agricultural land shall be \$3,145 an acre based on Table 7.2.5-1 in SJMSCP with CCCI increases and is consistent with the Fee Study dated July 16, 2001.
4. The development fee for vernal pool habitat and multi-purpose open space conversion shall be consistent with the table identified in Exhibit "A" and attached hereto.
5. The fee provided in this resolution shall be effective on January 2, 2006, which is at least sixty (60) days after the adoption of this resolution.

Dated: November 2, 2005

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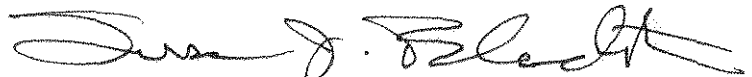
I hereby certify that Resolution No. 2005-231 was passed and adopted by the City Council of the City of Lodi in a regular meeting held November 2, 2005, by the following vote:

AYES: COUNCIL MEMBERS – Hansen, Hitchcock, Johnson, Mounce, and Mayor Beckman

NOES: COUNCIL MEMBERS – None

ABSENT: COUNCIL MEMBERS – None

ABSTAIN: COUNCIL MEMBERS – None



SUSAN J. BLACKSTON  
City Clerk

### Exhibit A

Habitat Type	Current Fee Per Acre	Interim Fee Per Acre
Multi-Purpose Open Space	\$909	\$1,572
Natural	\$1,819	\$3,145
Agriculture	\$1,819	\$3,145
Vernal Pool - uplands	\$6,074	\$9,597
Vernal Pool - wetted	\$36,381	\$57,482